

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KENSINGTON INTERNATIONAL LIMITED,

Plaintiff,

v.

SOCIÉTÉ NATIONALES DES PÉTROLES DU CONGO,
BRUNO JEAN- RICHARD ITOUA,
BNP PARIBAS S.A.,

Defendants.
-----X

05 Civ. 5101 (LAP)

**REPLY DECLARATION
OF DWIGHT A. HEALY**

DWIGHT A. HEALY, makes the following declaration, pursuant to 28 U.S.C. §1746:

1. I am an attorney admitted to practice law before the courts of the State of New York and a member of the law firm of White & Case LLP, counsel for Defendant BNP Paribas, SA ("BNP-P") in the above-referenced action. I submit this Reply Declaration in support of BNP-P's Reply Memorandum In Further Support Of Defendant BNP Paribas' Motion To Dismiss The Complaint.

2. Attached hereto as Exhibit A is a true and correct copy of the Affidavit of Stephen Philip Moverly Smith Q.C., dated January 16, 2004, provided in Kensington International Ltd. v. BNP-Paribas S.A., No. 602569/03 (N.Y. Sup. Ct.) (the "State Action").

3. Attached hereto as Exhibit B is true and correct copy of the Affidavit of Christopher Fix, dated March 19, 2004, which was provided in the State Action.


4. Attached hereto as Exhibit C is a true and correct copy of the Complaint in FG Hemisphere Associates, LLC v. Republique Du Congo, No. 01 CV 8700 (S.D.N.Y.), dated September 26, 2001.

5. Attached hereto as Exhibit D is a true and correct copy of selected portions of Monetary Fund Report ("IMF Report") entitled, Republic of Congo: Enhanced Heavily Indebted Poor Countries (HIPC) Initiative—Preliminary Document (IMF Country Report No. 05/391, November 2005).

6. Attached hereto as Exhibit E is a true and correct copy of selected portions of a KPMG Report, entitled State of the Alternative Investment Industry, Offshore, Spring 2005.

I declare under the penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Dated: New York, New York
February 1, 2006


Dwight A. Healy